



U.S. Department of Justice

*United States Attorney
District of Maryland
Northern Division*

*Robert K. Hur
United States Attorney*

*Kenneth S. Clark
Assistant United States Attorney*

*36 South Charles Street
Fourth Floor
Baltimore, Maryland 21201*

*DIRECT: 410-209-4859
MAIN: 410-209-4800
FAX: 410-962-0717
TTY/TDD: 410-962-4462
Kenneth.Clark@usdoj.gov*

November 9, 2018

VIA ECF

Honorable James K. Bredar
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: *United States v. Guerra-Castillo, et al.*, No. JKB-16-0259

Dear Judge Bredar:

Per your request during our conference call on October 26, 2018, I write to provide a summary of the capital case process. Although none of the defendants in the above case are currently charged with capital-eligible offenses, a number of them were involved in one or more murders. As a result, the Attorney General will decide whether the government will seek the death penalty in relation to those defendants. The Capital Case Section ("CCS") at the Department of Justice initially reviews all cases of potentially death-eligible defendants and, after review, may or may not seek input from defense counsel on mitigation. CCS then makes a recommendation to the Attorney General who makes the final decision.

Prior to making its recommendation, CCS may ask defense counsel to provide input in the form of a written submission and/or a meeting at which counsel can present any mitigation arguments/evidence.

The Third Superseding Indictment alleges that the following defendants were involved in one or more murders, and CCS has not yet made a decision in their cases. Those individuals who are highlighted in yellow below are alleged (in the indictment) to have been involved in more than one murder:

| |
|---|
| JORGE RAUL GUERRA CASTILLO, a.k.a. Pelon, |
| CARLOS ALAS BRIZUELA, a.k.a. Truco, |

Page 2 of 2

| |
|--|
| CARLOS HERNANDEZ DIAZ, a.k.a. Positivo, |
| MILTON PORTILLO RODRIGUEZ, a.k.a. Little Gangster, |
| FRANCISCO RAMIREZ PENA, a.k.a. Tepo, |
| JOSE ALBERTO SIBRIAN GARCIA, a.k.a. Chango, |
| DARWIN ARIAS MEJIA, a.k.a. City, |
| MIGUEL LOPEZ ABREGO, a.k.a. Timido, |
| ALBARO ROSA MORENO, a.k.a. Slow, |
| ERVIN ARRUE FIGUEROA, a.k.a. Tricky, |
| RONALD MENDEZ SOSA, |
| EDWIN RUIZ URRUTIA, a.k.a. Sylvestre, |
| BRENDA ARGUETA ARGUETA, a.k.a. Prima, |
| DARVIN GUERRA ZACARIAS, a.k.a. Chapin, |
| LUIS FERNANDO CRUZ RODRIGUEZ, a.k.a. Catra, |

Should you have any questions or need any additional information, please feel free to contact me at (410) 209-4859.

Sincerely,

____/s/_____
Kenneth S. Clark
Matthew DellaBetta
Catherine K. Dick
Assistant United States Attorneys

cc: All counsel of record (via ECF)